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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,263	10/09/2001	Dale P. DeVore	P00593-US	6196
3017	7590	11/19/2003	EXAMINER	
BARLOW, JOSEPHS & HOLMES, LTD. 101 DYER STREET 5TH FLOOR PROVIDENCE, RI 02903			AUDET, MAURY A	
			ART UNIT	PAPER NUMBER
				1654

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

1

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Commissioner for Patents

## DETAILED ACTION

### *Response to Amendment*

The reply filed on August 11, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant has cancelled claims 1 and 11, in particular, and added new claims 21 and 23 to replace former claims 1 and 11. Original claims 1 and 11 were drawn to “derivatizing collagen with a functional group” (see step 1 of 2 of either claim 1 or 11). New claims 21 and 23 are drawn to (see step 1 of 2) “adding a first collagen portion to a second collagen portion to obtain a mixture including said first and second collagen portions”. Thus, the added claims are no longer even drawn to “derivatizing collagen with a functional group”, but broadly adding any collagen to another collagen, whether derivatized or not. Therefore, Applicant has changed the subject matter of the invention and the response is held to be inadvertently non-responsive.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

### *Conclusion*

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maury Audet whose telephone number is 703-305-5039. The examiner can normally be reached from 7:00 AM – 5:30 PM, off Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached at 703-306-3220. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4242 for regular communications and 703-308-1234 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.

MA

November 12, 2003



MICHAEL MELLER  
PRIMARY EXAMINER